

PTO/3B/65 (03-09)
Approved for use through 03/31/2012. OMB 0861-0016
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

02/01/2012 DALLEN 00000002 6669657

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6669657

Application Number: 09665608

Issue Date: December 30, 2003

Filing Date: September 20, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.369(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

☒ is a reissue of original Patent No. 6669657 original issue date 12/30/03
original application number 09/665608
original filing date 9/20/2000

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

1/27/2012
Date

Deanna T. Onawela
Signature

Deanna T. Onawela
Typed or printed name of person signing Certificate

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This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/05 (03-09)
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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input checked="" type="checkbox"/> \$ <u>1425.00</u>	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ _____

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ Request Waiver (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ See attached
Request Waiver

5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ _____
- ☐ Please charge Deposit Account No. _____ the sum of \$ _____
- ☒ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____

PTO/SB/65 (03-08)
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7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. _____

OR

☐ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Deanna T. Ornela
Signature(s) of Petitioner(s)

1/27/2012
Date

Deanna T. Ornela
Typed or printed name(s)

Registration Number, if applicable

9231 Redbridge Court
Address

410.880.4091
Telephone Number

Laurel MD 20723
Address

ENCLOSURES:



Maintenance Fee Payment



Statement why maintenance fee was not paid timely



Surcharge under 37 CFR 1.201X1 (fee for filing the maintenance fee petition)

Requested Waiver submitted



Other:

PTC/SB/65 (03-08)
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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

Deanna T. Ongwela
Signature

1/27/2012
Date

Deanna T. Ongwela
Type or printed name

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Please see attached letter.

(Please attach additional sheets if additional space is needed)

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Deanna T. Angwela

January 17, 2012

This is in response to the request made to the Office of Petitions Help Desk on January 13, 2012.
In accordance with the above request, please find enclosed the form(s).

If you have further questions, please free to contact the help desk at (571) 272 - 3282.

Help Desk
Office of Petitions



Changing The World Through Touch

January 27, 2012

Mr. David Kappos
Undersecretary For Intellectual Property & Director
Patent & Trademark Office
Fax: 571.273.0464

Re: Patent # 6669657 Application # 09665608

Dear Mr. Kappos:

I am writing to request your assistance in the reconsideration of the surcharge for expired patents. My seven and a half year maintenance fee was due in July 2011. However, the man I was married to for 13 years and the father of our 9 years old son, at that time, passed away in April 2011. As a woman, mom and small business owner, my family comes first.


Unable to run my small business and assist my son with his grief, I closed my physical store location in June 2011. Due to the numerous changes in the life of my son, and me I was financially unable to pay the seven and a half year maintenance fee. I received notice in August 2011 that a surcharge was added for a total of \$1305. I phoned the Patent & Trademark Office (PTO) in December 2011, to clarify the financial fees to discover the fees had increased to \$1425 with a \$75 surcharge for a total of \$1500. Already financially challenged from the loss and in this economy, this was an unexpected significant increase. I was financially unable to pay that significant increase until I received a paycheck on January 6, 2012.

At that time, I faxed in the "Maintenance Fee Transmittal Form" and the "Credit Card Payment Form (PTO-2038)" for \$1500. By Friday, February 13, the funds had not been withdrawn from my account. I phoned the PTO (1.800.PTO.9199) and was informed my patent had expired. I asked if there was anything that could be done due to my extenuating circumstances and was informed, "No." I persisted and was eventually informed of the Office of Petitions (571.272.3282). I phoned the Office of Petitions and spoke with a gentleman who informed me of the additional surcharges for the expired patent petition, whether unavoidable (\$700) or unintentional (\$1600 +). I inquired if that amount was the fee for a small entity.

Due to my extenuating circumstances, I am requesting the acceptance of my \$1500 maintenance fee for the reissuance of my patent #6669657. I am aware President Obama has a strong desire and aggressive plan to assist small business owners and Americans with innovative ideas pursue commerce in a national and international market. As a mom, my son comes first, but I desire to secure a livelihood for the future.

Thank you in advance for reviewing and considering this request in this economy. Your attention is greatly appreciated. I can be reached at 410.880.4091 or at deanna@deannatee.com.

Sincerely,



Deanna T. Ongwela
Patent #: 6669657
Application #: 09/665608
9231 Redbridge Court
Laurel, MD 20723
410.880.4091

enclosures